

REMARKS

Claims 1-12 are pending in the application. Claims 1-12 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Publication No. 2002/0178621 ("Darby").

Applicants' claim 1 recites an orthopedic appliance for application to a body portion having, among other things, a liner affixed to the inner surface of a substantially rigid structure, the liner being of a material that facilitates the transfer of moisture from the body portion out through the holes of the substantially rigid structure to the atmosphere. Darby does not teach or suggest this feature. Darby teaches a sandal-like device for treating conditions of the foot where redistribution of weight away from the infected or traumatized area is desired (paragraph 0022). His device includes an inner lining made of EVA or soft foam material (paragraph 0029) or Plastizote (paragraph 0007). EVA and Plastizote are both closed-cell foams that do not absorb or retain moisture and do not allow the transfer of moisture away from a moist surface (See e.g., <http://www.zotefoams.com/pages/EN/marine.asp>, for examples of uses of these materials as marine buoys and floats). A copy of the contents of the website, printed on November 6, 2007, is attached to this response. Applicants submit that Darby does not teach or suggest a liner being of a material that facilitates the transfer of moisture from the body portion out through the holes of the substantially rigid structure to the atmosphere, as recited in claim 1. Applicants therefore respectfully request that, for at least these reasons, the Examiner withdraw the rejection of claim 1 and its dependent claims.

Applicants' claim 6 recites a device having a flexible support member affixed to the inner surface of a substantially rigid structure, the flexible support member being constructed so as to allow the transfer of moisture from the body portion through the flexible support member and out through the holes in the structure to the atmosphere. As an example, Applicants' flexible support member may be in the form of a full contact liner of porous material, which allows body moisture to pass directly through the porous material liner (paragraph 11). Darby's device includes an outer covering (paragraph 0029) but does not teach or suggest an additional flexible support member being constructed to allow the transfer of moisture from the body portion through the flexible

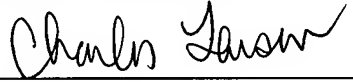
support member and out through the holes in the structure to the atmosphere. Examiner has asserted that paragraph 0034 teaches this element (page 2 of Office Action mailed on June 6, 2007), but paragraph 34 says "air holes may be added to the outer covering 340 in order to facilitate outer covering removal in those areas where ulcers are most likely to occur." Applicants respectfully point out that the holes in Darby's outer covering are used to enable the user to further remove the covering to relieve pressure in affected areas, but there is no teaching or suggestion of a flexible support member being constructed so as to allow the transfer of moisture from a body portion through the flexible support member and out through the holes in the structure to the atmosphere. Indeed, as noted above, Darby teaches inner liners such as EVA or Plastizote (paragraphs 0007 and 00029) that do not retain moisture and therefore do not allow the transfer of moisture. Accordingly, Applicants request the Examiner withdraw the rejection of claim 6 and its dependent claims.

In view of the above, Applicants respectfully submit that the pending application is in condition for allowance.

Applicants believe no fee is due with this response other than as reflected on the enclosed Amendment Transmittal. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. ACIZ-P01-004 from which the undersigned is authorized to draw.

Dated: November 6, 2007

Respectfully submitted,

By 

Charles D. Larsen

Registration No.: 48,533

ROPES & GRAY LLP

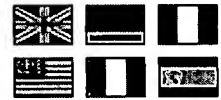
One International Place

Boston, Massachusetts 02110

(617) 951-7000

(617) 951-7050 (Fax)

Attorneys/Agents For Applicant



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applications

MARINE

The closed cell nature of AZOTE foams make them ideal for many marine buoyancy applications as they cannot be deflated in a similar way to pneumatic structures. AZOTE foams offer an unrivalled combination of mechanical properties; strength, light weight.

Construction materials

AZOTE foams are used in the manufacture of floating hoses for oil terminals and dredging. They are also used in the production of MOB (man overboard) boats used in off shore oil exploration and as buoyancy fillers in amphibious cars where their flame retardant nature is also invaluable. AZOTE foams are also used as the basis for ships upholstery that has buoyancy properties.

PLASTAZOTE is the lightest polyethylene foam available with densities down to 15kg / m³ making it particularly suitable for use as formers in the hull stiffening ribs and stringers of large FRP (fibre reinforced plastic) boats and other structures.

Fenders

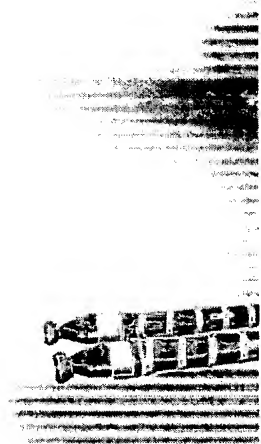
Fenders made from AZOTE foams will not sink if they become damaged. They provide high energy absorption with a low reaction force - properties that make them superior to pneumatic fenders.

Buoys

Cylindrical buoys, anchor pendant buoys, navigation and marker buoys all benefit from the closed cell nature of AZOTE foams.

Floats

AZOTE foam floats for umbilicals, ropes, cables, are exceptionally durable and easy to manufacture using conventional foam conversion techniques. Self-fendering booms have a myriad of applications from oil containment to the creation of exclusion zones at sea or in inland waterways. The puncture protection provided by AZOTE foams is highly valued in such



applications.

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Registered office: 675 Mitcham Road, Croydon CR9 3AL
